



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/552,135

10/06/2005

Thomas H. Blackwell

038151/294772

7205

826

7590

03/27/2008

ALSTON & BIRD LLP

BANK OF AMERICA PLAZA

101 SOUTH TRYON STREET, SUITE 4000

CHARLOTTE, NC 28280-4000

EXAMINER

PAPEL, JOSEPH

ART UNIT

PAPER NUMBER

3612

MAIL DATE

DELIVERY MODE

03/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,135

Applicant(s)

BLACKWELL ET AL.

Examiner

Joseph D. Pape

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-9, 12, 16, 18, 19, 21-23, 25, 27-29 and 31-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 21-23, 25 and 27-29 is/are allowed.
- 6) ☐ Claim(s) 1-5, 7-9, 12, 16, 18, 19 and 31-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Final Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/08 6/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Objections

1. Claims 32-33 are objected to because of the following informalities: In claim 32, the last line, "for providing" is repeated twice. In claim 33, line 2, it is thought that "larger" should be changed to –large--

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 3, 5, 7, 8 and 31-36 are rejected under 35 U.S.C. 102(b) as being anticipated by WO '667.

The WO '667 reference discloses the claimed invention including all of the structural features of the trailer. The trailer configurations are capable of supporting well known medical treatment areas and equipment as broadly as recited.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO '667 in view of Hirayama et al.

The WO '667 reference discloses the claimed invention except for the use of a second trailer with the first trailer.

Hirayama et al. disclose the use of multiple trailers together.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the trailer of WO '667 with a second, auxiliary trailer as taught by Hirayama et al. for enhanced functional advantages.

6. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO '667 in view of Marek.

The WO '667 reference discloses the claimed invention except for plural treatment areas with different configurations.

Marek discloses a medical facility trailer with various treatment areas with structural features that can be repositioned or configured differently.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the treatment areas of WO '667 with treatment features that are repositionable as taught by Marek for flexible treatment options.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO '667 in view of Young.

The WO '667 reference discloses the claimed invention except for the recited air handling features.

Young discloses a trailer with air handling capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the trailer of WO '667 with air handling features as taught by Young for providing good air quality within the trailer.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO '667.

WO '667 discloses the claimed invention except for the recited heating and air conditioning features

Examiner takes Official Notice that heating and cooling features in trailers is notoriously well known in the art of trailers.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the trailer of WO '667 with heating and cooling features as is common knowledge in the art and which involves no new or unexpected results.

9. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO '667.

WO '667 discloses the claimed invention except for the recited medical treatment features.

Examiner takes Official Notice that the use of an air supply for treating patients and a satellite communication system for telemedicine capabilities is notoriously well known in the medical field.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the trailer of WO '667 with medical treatment features such as the use of an air supply for treating patients and a satellite communication system for telemedicine capabilities because such medical features are commonly known and the provision of them in a trailer environment would involve no new or unexpected results.

Allowable Subject Matter

10. Claims 21-23, 25 and 27-29 are allowed.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Pape whose telephone number is (571)272-6664. The examiner can normally be reached on Tuesday-Friday 6:30 AM-3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571)-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph D. Pape/
Primary Examiner,
Art Unit 3612

Jdp

3/25/08

